United Nations A/66/812–S/2012/343

General Assembly
Security Council

Distr.: General
22 May 2012

Original: English

General Assembly
Sixty-sixth session
Agenda item 68
Right of peoples to self-determination

Security Council
Sixty-seventh year

Identical letters dated 16 May 2012 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the Secretary-General and the President of the Security Council

On behalf of the Permanent Representatives of the States members of the Cooperation Council for the Arab States of the Gulf and in the capacity of the Kingdom of Saudi Arabia as Chair of the Council, I have the honour to enclose herewith a letter (see annex), in response to the recent statements by the Chair of the Islamic Consultative Assembly in the Islamic Republic of Iran, Ali Larijani, and Husain Ali Shahryari, member of Parliament.

It would be appreciated if the present letter and its annex were circulated as a document of the General Assembly, under agenda item 68, and of the Security Council.

(*Signed*) Abdallah Y. **Al-Mouallimi**
Permanent Representative
and Chair of the Cooperation Council for the Arab States of the Gulf

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Annex to the identical letters dated 16 May 2012 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the Secretary-General and the President of the Security Council

We, the Permanent Representatives of the States members of the Cooperation Council of the Arab States of the Gulf to the United Nations, regret to call your attention to yet another flagrant interference by the Islamic Republic of Iran in the internal affairs of sovereign States members of the Council and of the United Nations. The recent statements by the Chair of the Islamic Consultative Assembly, Ali Larijani, and Husain Ali Shahryari, Member of Parliament, blatantly dismiss the ongoing endeavours by States members of the Council to enhance their cooperation through further steps of integration. Furthermore, the statements also clearly challenge the sovereignty and integrity of a State member of the Council, namely the Kingdom of Bahrain, by claiming the right to determine its political choices and affiliations in the matter under consideration.

It is most regrettable that Iran should persist in this aggressively hegemonic tendency in total disregard of the principles of the Charter of the United Nations, the basic rules of good-neighbourly relations between nations and the objectives and principles of the Organization of Islamic Cooperation. Such statements are reprehensible by all standards and represent a totally unacceptable conduct, in form as in substance.

We believe that the Islamic Republic of Iran would be well advised to fully comply with international norms and standards that govern relations between equally sovereign States, based on the ethical and legal foundations of international law. It is incumbent upon the Islamic Republic of Iran to take immediate action to prevent the recurrence of such unconstructive statements that run counter to the interests of the peoples of the region and will eventually undermine the security and stability of the region as the whole.

(*Signed*) Jamal **Alrowaiei**
Permanent Representative
of the Kingdom of Bahrain
to the United Nations

(*Signed*) Ahmed **Al-Jarman**
Permanent Representative
of the United Arab Emirates
to the United Nations

(*Signed*) Mansour **Alotaibi**
Permanent Representative
of the State of Kuwait
to the United Nations

(*Signed*) Najeem **Al-Abri**
Ch gé d'affaires
The Sultanate of Oman
to the United Nations

(*Signed*) Meshal **Al-Thani**
Permanent Representative
of the State of Qatar
to the United Nations

(*Signed*) Abdallah Y. **Al-Mouallimi**
Permanent Representative
of the Kingdom of Saudi Arabia
to the United Nations

United Nations A/66/813

General Assembly

Distr.: General
22 May 2012

Original: English

Sixty-sixth session
Agenda item 35
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Status of internally displaced persons and refugees from Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia

Report of the Secretary-General

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 65/287, in which the Assembly requested the Secretary-General to submit a comprehensive report at its sixty-sixth session on the implementation of the resolution. The report covers the period from 1 April 2011 to 30 March 2012 and draws on information received from a number of United Nations entities.

2. In accordance with the provisions of the resolution, the report focuses on (a) the right of return of all refugees and internally displaced persons and their descendants, regardless of ethnicity; (b) prohibition of forced demographic changes; (c) humanitarian access; (d) the importance of preserving the property rights of refugees and internally displaced persons; and (e) the development of a timetable to ensure the prompt voluntary return of all refugees and internally displaced persons to their homes.

II. Background

3. Following an escalation in conflict in 1992, which caused significant displacement of civilians, armed hostilities between the Georgian and Abkhaz sides ended with the signing in Moscow on 14 May 1994 of the Agreement on a Ceasefire and Separation of Forces (see S/1994/583 and Corr.1). That agreement was preceded by the signing in Moscow on 4 April 1994 of the quadripartite agreement on the voluntary return of refugees and displaced persons (see S/1994/397), in which the parties agreed to cooperate and interact in planning and conducting activities to safeguard and guarantee the safe, secure and dignified return of people who had fled from areas in the conflict zone to areas of their previous permanent residence. Armed hostilities between the Georgian and South Ossetian sides ended with the 24 June 1992 Sochi Agreement, which established a ceasefire between the Georgian and South Ossetian forces and the creation of the Joint Control Commission and Joint Peacekeeping Forces.

4. Following the hostilities that started in the Tskhinvali region/South Ossetia, Georgia, on 7 and 8 August 2008, and in line with the six-point plan of 12 August 2008 and the implementing measures of 8 September 2008 (see S/2008/631, paras. 7-15), international discussions were launched in Geneva on 15 October 2008, co-chaired by representatives of the European Union, the Organization for Security and Cooperation in Europe (OSCE) and the United Nations (see S/2009/69 and Corr.1, paras. 5-7). The international discussions were to address the issues of security and stability and the return of internally displaced persons and refugees. By the end of the reporting period, 19 rounds of the Geneva international discussions had been held, with participants meeting in two parallel working groups.

5. In June 2011, in its resolution 65/288, the General Assembly approved the budget for the United Nations Representative to the Geneva International Discussions. The establishment of a special political mission has facilitated the continued engagement of the United Nations in the Geneva process. The United Nations Representative and his or her team are responsibie for preparing, in consultation with the co-chairs, the sessions of the Geneva international discussions. They are also responsible for preparing, convening and facilitating the periodic meetings of the joint incident prevention and response mechanism under United Nations auspices in Gali (see S/2009/254, paras. 5 and 6).

6. The participants in Working Group I of the Geneva international discussions continued to discuss the security situation on the ground and concerns expressed with regard to detentions, procedures for crossings and other developments on the ground, including reports of military-related activities and planned military exercises as well as restructuring. They also continued discussions on the key issues of the non-use of force and international security arrangements. I was encouraged by the increased direct contacts between participants in the margins of the latest rounds of the Geneva international discussions.

7. During the reporting period, efforts made by Working Group II addressed the rights of displaced persons, including their right of return and the humanitarian needs of all affected populations. The discussions focused, inter alia, on finding consensus on a framework document affirming the fundamental, internationally recognized principles governing the treatment of displaced persons, the need for humanitarian access and the importance of finding durable solutions to displacement, including voluntary return in safety and dignity.

8. Working Group II also systematically reviewed the situation on the ground and discussed possible humanitarian measures to meet specific needs of the internally displaced persons. Several participants briefed on their relevant humanitarian and infrastructure programmes and projects. Access to gas supply and to potable and irrigation water remained on the agenda. The challenges to agricultural production caused by the moth *Hyphantria cunea* and a possible consolidated response, including prevention and mitigation measures in the affected area, was one of the issues most extensively discussed by the Working Group during the recent rounds of the Geneva international discussions, though different views prevailed among the participants. Participants regularly exchanged views on the human rights situation on the ground. The Office of the United Nations High Commissioner for Human Rights has proposed a technical mission aimed at updating the High Commissioner and the participants of the Geneva discussions on the human rights situation on the ground. Another topic given substantial attention by all participants was related to persons missing from the conflict whose fate could not yet be clarified.

9. I note with appreciation the progress reported by OSCE on some of the water projects and the understanding shown by all participants of Working Group II regarding the plight of the families of missing persons and the commitments made to engage meaningfully on the issue, in particular by supporting the related work of the International Committee of the Red Cross (ICRC). While many other humanitarian issues remain unresolved, the Geneva international discussions continue to offer an opportunity to raise in a constructive manner such issues and provide a chance for participants to liaise with United Nations humanitarian agencies, funds and programmes located in Geneva.

10. To allow for more informed debates, special information sessions were conducted in conjunction with the formal Geneva sessions, and on one occasion in the context of the Gali joint incident prevention and response mechanism, allowing participants to benefit from the experience and advice of the United Nations, non-governmental organizations and other external experts. During the information sessions, participants were given the opportunity to deepen their understanding of, inter alia, when displacement is considered to have ended, various aspects related to the confidence-building measures, the challenges and best practices related to the search for missing persons and the preservation of cultural heritage.

11. At present, the Geneva international discussions remain the only forum for relevant stakeholders to meet and address the issues identified in resolution 65/287.

III. Right of return

A. Scope of displacement, return and local integration

12. No major developments took place during the reporting period with regard to refugees and internally displaced persons exercising their right of return. No further major returns were observed to the areas adjacent to the Tskhinvali region/South Ossetia. While more than 100,000 individuals who had been displaced during the 2008 conflict have returned to their homes, the Office of the United Nations High Commissioner for Refugees (UNHCR) considers that about 34,000 persons who have returned to those adjacent areas continue to be in an internally displaced persons-like situation as they still have some specific protection needs related to their former displacement. Further returns to these areas are hampered by security concerns, the destruction of houses and limited livelihood and economic opportunities due to the lack of functioning irrigation systems and access to fields, orchards and traditional grazing grounds.

13. Proposals were made in the previous reporting period by the participants concerned in the Geneva international discussions in relation to the return of displaced populations to the Akhalgori district. UNHCR is continuing its consultations on the proposals with a view to securing the safe and voluntary nature of any return to the district. In that context, further steps are needed to ease the crossing procedures in the area to allow individuals not only to maintain contact and follow developments in their home communities but also to make a free and informed choice as to whether to return or to integrate in areas of displacement or elsewhere.

14. According to the Ministry for Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia, as at the end of March 2012, there were 265,295 registered internally displaced persons. That represents an increase from the 256,528 persons registered as at the end of 2010, which is mainly attributable to children born among internally displaced families, displaced individuals returning to Georgia from third countries and late registrations. The number includes 242,592 persons displaced during the earlier conflicts, 18,789 displaced during the August 2008 conflict and 3,914 persons displaced twice. In addition, approximately 300 persons from the areas most adjacent to the Tskhinvali region/South Ossetia remain in displacement owing to security concerns or loss of livelihoods; they are considered by UNHCR to be internally displaced persons as defined in the Guiding Principles on Internal Displacement, but do not have access to the status of internally displaced persons under national legislation. Moreover, it is estimated that some 10,000 persons remain displaced within the Tskhinvali region/South Ossetia.

15. The Government of Georgia continues with the implementation of its State strategy on internally displaced persons. Efforts under the action plan for the implementation of that State strategy for 2009-2011 have come to a conclusion and resulted in significant progress in the provision of durable housing solutions to internally displaced persons. According to the Ministry for Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees, by the end of

2011, 23,600 households of internally displaced persons, consisting of about 69,400 persons, had been provided with durable housing solutions in new settlements or rehabilitated and privatized former collective centres. An additional 5,388 families of internally displaced persons received monetary assistance in order to meet their housing needs. The Government has now concluded preparations for the action plan for the implementation of the State strategy on internally displaced persons for 2012-14, which addresses the areas of (a) durable housing solutions; (b) access to social services; (c) livelihoods; and (d) improvement of information and participation of internally displaced persons. The drafting process of the action plan, which involved UNHCR, non-governmental organizations and donors, was concluded at the end of the reporting period and the formal adoption of the action plan by way of a Government Decree is now scheduled for May 2012.

16. Amendments made in December 2011 to the national legislation governing the treatment of internally displaced persons have clarified a number of issues and enhanced the protection of such persons against discrimination. At the same time, however, terminology and definitions were introduced with the amendments which are governed by political considerations, and as a result, not all internally displaced persons as defined in international law and practice can enjoy benefits under the retitled and amended Law on the forcibly displaced persons persecuted from the occupied territories of Georgia. While acknowledging that States have some discretion in the establishment of national legislation governing the treatment of internally displaced persons, the rights of all such persons as defined in the Guiding Principles on Internal Displacement ought to be respected and protected.

17. Relocations conducted in the context of the efforts of the Government to provide internally displaced families with durable housing solutions and related evictions have on some occasions led to grievances among internally displaced persons. Upon advocacy from UNHCR and other actors, the Government has adjusted its approach and is now offering more housing solutions in urban and economic centres and is trying to avoid relocations from urban areas to more remote locations. Other projects, such as rural housing combining shelter with agricultural land, have expanded the options for housing solutions. The standard operating procedures of the Government, developed with a view to enhancing the transparency of the relocation process and the protection of internally displaced persons subject to relocation, were generally respected. It is important that, in any relocation process, the rights of internally displaced persons be respected and protected and that the process is transparent and offers legal safeguards.

18. Given the scale of the displacement, challenges concerning the integration of internally displaced persons remain. The Government assessed that, subject to inflation and exchange rate fluctuations, a total of $749 million (comprising $449 million for the construction of new buildings and $300 million for financial housing assistance) would be required to fully meet the remaining housing needs of all internally displaced persons. However, the provision of durable shelter is an essential but not the only aspect of integration. Socioeconomic aspects such as sustainable livelihoods and access to quality education, medical and social services must also be addressed. The United Nations agencies, funds and programmes, donors and other stakeholders will continue their efforts to address the needs of the displaced population, work towards durable solutions and assist the Government in protecting and ensuring the rights of the affected population. In order to bridge the gap between humanitarian response and development activities, the United Nations

Development Programme (UNDP) and UNHCR have developed a joint programme aimed at improving the livelihoods of internally displaced persons and returned internally displaced persons in Shida Kartli, Georgia, and are considering replicating such a programme in other displacement-affected regions.

19. It is estimated that over 45,000 people may have spontaneously returned or are in the process of returning to their homes in the Gali district. Seasonal movements were also observed. Such individuals are officially considered internally displaced persons by the Government and as such are eligible for assistance. More precise and comprehensive independently verified data on the numbers and profiles of those who have returned, or on the other conflict-affected communities residing in the Gali district, are not yet available. For a number of years, my former representative on the human rights of internally displaced persons and UNHCR have called for a verification and profiling exercise as a first step in assessing the protection and assistance needs of spontaneous returnees to the district and their host communities. The conducting of such an exercise, as initially agreed to in 2005, was supported by the Security Council in its resolutions 1752 (2007), 1781 (2007) and 1808 (2008). Unfortunately, no consensus has been reached on its implementation, and the issue remains on the agenda of Working Group II of the Geneva international discussions.

20. During the first eight months of the reporting period, a number of developments had a positive impact on the humanitarian and security situation of the population in the Gali region and on the reintegration prospects of those who had returned or were in the process of returning. The developments included reduced crime rates, significantly fewer incidents of extortion during the hazelnut harvest season and a variety of infrastructure and construction measures that also brought about some income-generating opportunities. Unfortunately, the positive trend had been disrupted as of December 2011 by a number of serious incidents, including homicides, the use of improvised explosive devices, alleged acts of terrorism and the recurrence of other crimes. The temporary restriction of movements over the Inguri River from 22 February to 6 March 2012 had to some extent hampered access of the affected population to services and markets and promptly resulted in an increase of prices for food, raising concerns among the affected population. Despite some noteworthy improvements, including infrastructure construction and repair and significant humanitarian efforts, the reintegration process has therefore not yet been concluded since many people still have needs and vulnerabilities resulting from their earlier displacement. Those who have spontaneously returned or are in the process of returning continue to express concerns about the security situation, including the level of crime and the need for support in rebuilding housing and re-establishing sustainable means of subsistence.

21. Since the conflict in August 2008, the United Nations agencies, funds and programmes have had no operational access to the Tskhinvali region/South Ossetia and are therefore not in a position to verify or closely monitor displacement or return movements. However, in preparation for the sessions of the Geneva international discussions, the co-chairs and United Nations staff were able to visit the Tskhinvali region/South Ossetia and familiarize themselves with the noticeable progress made on a number of the multifaceted rehabilitation efforts undertaken. Information made available to UNHCR by the Federal Migration Service of the Russian Federation indicates that 4,269 families (5,346 persons) from Georgia (citizens and stateless persons) applied for recognition as refugees in the Russian Federation during the period from 2005 to 2011. Of that total, 1,805 families (2,278

persons) applied in 2008; 1,211 families (1,525 persons) in 2009; 524 families (641 persons) in 2010; and 280 families (314 persons) in 2011. A total of 152 families (199 persons) from Georgia were recognized as refugees in the Russian Federation between 2005 and 2011. Of that total, 60 families (68 persons) were recognized as refugees in 2007; 35 families (46 persons) in 2008; 39 families (60 persons) in 2009; 7 families (11 persons) in 2010; and 8 families (11 persons) in 2011. Moreover, 2,642 families (3,103 persons) from Georgia (citizens and stateless persons) were granted temporary asylum from 2005 to 2011. Of that total, 386 families (444 persons) were granted temporary asylum in 2008; 1,520 families (1,782 persons) in 2009; 429 families (525 persons) in 2010; and 270 families (286 persons) in 2011.

22. The actual number of refugees and others displaced from Georgia in the Russian Federation is considered to be significantly higher since many are not reflected in the official statistics, having regularized their residence status outside of refugee protection mechanisms or lost refugee status upon acquisition of Russian citizenship.

B. Institutional framework and operational measures

23. In 2005, UNHCR, the Danish Refugee Council, the Norwegian Refugee Council and the Swiss Agency for Development and Cooperation developed, in consultation with all stakeholders, an initiative entitled "Strategic directions: promoting confidence-building measures for displaced and war-affected persons in Abkhazia". The strategic directions were aimed at supporting a bottom-up peacebuilding approach based on self-reliance and community involvement. The directions integrate protection and assistance efforts through returnee monitoring, addressing their concerns in discussions with the relevant authorities and targeted assistance. Since April 2009, the directions have been complemented by a strategic framework for continued humanitarian assistance, which seeks to achieve durable solutions for returnees through integrated protection and assistance activities and promotion of their rights, with a view to preventing renewed displacement of the population in the Gali, Ochamchira and Tkvarcheli districts.

24. Such efforts bring together as strategic partners, under the overall coordination of the United Nations Resident Coordinator, UNHCR, UNDP, the United Nations Children's Fund (UNICEF), the World Food Programme, the Swiss Agency for Development and Cooperation and international non-governmental organizations, namely Action Contre la Faim International, the Danish Refugee Council, the Norwegian Refugee Council, Première Urgence and World Vision International.

25. In July 2010, the Government complemented its State strategy on occupied territories: engagement through cooperation (adopted by Order N107 of 27 January 2010) with the action plan for engagement (adopted by Order N885 of 3 July 2010, amended on 26 January 2011). The plan envisages the undertaking of a number of steps aimed at building trust and confidence among divided communities. Those measures were followed in October 2010 by the issuance of the Regulation of the Government of Georgia on the approval of modalities for conducting activities in the occupied territories of Georgia. In that context, the United Nations agencies, funds and programmes will continue to engage in humanitarian action on the basis of their respective mandates and in the framework of multilateral and bilateral agreements governing privileges and immunities of the United Nations.

26. As noted in my previous reports (A/64/819, para. 13 and A/65/846, para. 21), for any operational framework and/or liaison mechanism to be effective and serve its aims, it must be accepted and supported by all sides. In this context, I note with appreciation the establishment by UNDP, in consultation with the United Nations country team and all relevant authorities, of a status-neutral liaison mechanism which aims to facilitate dialogue and interaction between the divided communities and the implementation of projects and activities. The liaison mechanism offers a framework of engagement that strictly respects the humanitarian mandates of the relevant United Nations actors and non-governmental organizations, clarifies basic rules of engagement, and allows participatory and human rights-based approaches in the design, planning and implementation of projects. I am encouraged that the mechanism established has offered good support to a number of humanitarian efforts undertaken on the ground. I would like to express my hope that consensus can be secured to maintain this mechanism and to preserve its status-neutral and humanitarian nature. I urge all stakeholders to engage openly in efforts to see how the effectiveness of the liaison mechanism can be strengthened and how such a mechanism can also be introduced to address the humanitarian assistance requirements of the population living in the Tskhinvali region/South Ossetia.

27. During the reporting period, UNDP has expanded the range and scope of its work to further improve local conditions for affected areas and populations. UNDP now reaches almost all areas with activities aimed at ensuring accessibility to high quality social services including in the education, health and water and sanitation sectors. Necessary infrastructure improvements are taking place and UNICEF is helping to improve the skills of health and educational professionals and to assess water, health and sanitation conditions in schools and overall conditions and practices used in primary health-care facilities. The involvement of UNDP in HIV/AIDS and drug-prevention activities concentrates on ensuring a better outreach to rural areas with a mobile laboratory, guaranteeing improved testing, counselling and advocacy. Special attention is given to youth and their connectivity to the rest of the world. In collaboration with several local non-governmental organizations engaged in youth activities, Internet cafés/youth centres are being established in some larger cities. Besides ensuring that youth have access to information in general, opportunities to improve practical skills are created through access to online training courses. In close collaboration with several international actors, UNDP supports civil society development and efforts to reduce tensions.

28. During the reporting period, the United Nations agencies, funds and programmes continued to assess and respond to various emerging humanitarian needs. Building on the successful 2010 immunization campaign that reached 98 per cent of the population below the age of 18 (see A/65/846, para. 22), UNICEF continues to strengthen the routine immunization infrastructure in the region by providing cold-chain equipment, an immunization database and training for medical professionals. Moreover, UNICEF has engaged in community-based activities aimed at increasing access to basic social services such as maternal and child health care, education and social protection, including for children with disabilities. The work was done in cooperation with other United Nations partners, World Vision International and a range of local partners and communities.

29. In 2011, UNHCR supported the construction of 189 houses for more than 750 returnees and other vulnerable populations and the establishment of social community centres in the villages of Chuburkhindji, Gumurishi and Gvada. The

community centres are designed to mobilize local communities and address some key obstacles to sustainable return by providing, inter alia, medical assistance and income and educational opportunities. In addition, 105 persons benefited from livestock or business grants; five business development centres were expanded and have diversified their activities; 50 young adults were given vocational and professional skills training; and 180 people were given basic and advanced business development training. Moreover, multidimensional counselling services were offered to address medical, psychosocial and legal advice needs, inter alia, to strengthen prevention and response to sexual and gender-based violence. At the end of the reporting period, UNDP focused particular attention on the development of a comprehensive project addressing the challenges to agricultural production caused by the *Hyphantria cunea* moth.

30. Taking up an initiative of the co-chairs of the Geneva international discussions, a joint United Nations activity involving UNICEF, UNDP and UNHCR has commenced to rehabilitate Gali School No. 2, with a view to enhancing access to education and supporting the co-education of students of different ethnic backgrounds.

31. During the reporting period, the issue of freedom of movement of the local populations, including through a possible increase in the number of crossing points, was repeatedly discussed as part of the agenda of the joint incident prevention and response mechanism chaired by the United Nations (see S/2009/254, para. 5). I note that the local population was in principle able to continue to move across the Inguri River Bridge or into Akhalgori district to the same extent as during the previous reporting period. The simplified permit system introduced in 2010, which facilitates crossing, albeit only via the Inguri River Bridge, is being upheld. While welcomed by some, it continues to add to travel distances and places a significant burden on the population, particularly those residing far from the town of Gali. Unfortunately, plans to open additional crossing points that might mitigate that burden and facilitate movements had not materialized by the end of the reporting period. At the beginning of September 2011, the Georgian authorities introduced procedures according to which the documents of persons crossing the Inguri River Bridge would regularly be checked and the persons would be registered at the checkpoints. While such procedures had no impact on movements, in late summer of 2011, a number of individuals residing in the Gali district, in particular younger men, temporarily abstained from movements, expressing their concern over extended checkpoint procedures and intelligence measures. Moreover, I observed with concern that movements were temporarily disrupted and blocked on the northern side of the Inguri River on a number of occasions or in the context of special events. Such temporary restrictions on freedom of movement and prevailing insecurity over the applicability of informal crossing arrangements for schoolchildren and teachers between Nabakevi and Kurcha also had some negative impact on school attendance.

32. Many members of the population in the Gali district, including spontaneous returnees and persons in the process of return, remain concerned about their freedom of movement and access to social infrastructure, including medical facilities, markets and family members in the Zugdidi district. The establishment of a crossing regime that allays those concerns remains crucial for improving the living conditions of the local population, advancing the reintegration of returnees and preventing renewed displacement. In that context, it is essential to identify solutions for the provision of documentation in conformity with international law, including human rights law, and the principles governing the prevention and reduction of statelessness.

33. The principles and factors governing the implementation of the return of internally displaced persons outlined in my report on the status of internally displaced persons and refugees from Abkhazia, Georgia (A/63/950), particularly paragraphs 8 to 14, remain valid. There is a complex nexus between the individual right to and the principle of voluntary, safe and dignified return and the establishment of conditions conducive to such return. The individual's right of return, in the case of an internally displaced person, derives from his or her right to freedom of movement as stipulated in article 12, paragraph 1, of the International Covenant on Civil and Political Rights and, in relation to a refugee, from article 12, paragraph 4, of the Covenant, according to which "no one shall be arbitrarily deprived of the right to enter his own country". In accordance with article 12, paragraph 3, of the Covenant, the freedom of movement as established in article 12, paragraphs 1 and 2, can only be subject to restrictions "which are provided by law, are necessary to protect national security, public order (*ordre public*), public health or morals or the rights and freedoms of others, and are consistent with the other rights" recognized in the Covenant. Progress made with respect to integration, locally or by resettlement, does not result in a loss of the right of return.

34. The right of return and its exercise by an internally displaced person cannot therefore be directly linked to political questions or the conclusion of peace agreements. It is essential to recognize return as both a human right and a humanitarian issue that must be addressed irrespective of any solution to an underlying conflict. At the same time, it is primarily for the individual to assess the risks and make an informed choice whether or not to return at a given time. In doing so, a displaced person must be able to take into account all factors that could affect his or her safety, dignity and ability to exercise basic human rights.

35. The United Nations is committed to assisting States in the search for durable solutions for displaced populations and its engagement is based on the understanding that voluntary return in safety and dignity is one durable solution, next to local integration and resettlement. The role of the United Nations in the facilitation, design and implementation of organized return operations must be guided by the need to avoid causing harm or contributing to the exposure of persons of concern to possible human rights violations. Therefore, activities related to organized returns must be based on a careful risk assessment, taking into consideration the existing security and human rights conditions and concerns, access to livelihoods and basic services and the voluntary nature of return. Unhindered humanitarian access and the ability of the United Nations and its mandated agencies, funds and programmes to effectively monitor all these factors is another aspect to be taken into account.

IV. Prohibition of forced demographic change

36. International human rights standards, as they have evolved in recent decades, provide guidance on managed population movements, including evacuations, and thereby strictly limit forced movements that result in demographic change. Under principle 6 of the Guiding Principles on Internal Displacement, every human being has the right to be protected against being arbitrarily displaced from his or her home or place of habitual residence. A number of provisions of international law, such as article 12 of the International Covenant on Civil and Political Rights, guarantee not

only the right to freedom of movement but also the freedom to choose one's residence, including the right to remain there.[1]

37. While no major new displacement was observed during the reporting period, the demographic consequences of earlier displacement remain. In that context, I would like to recall the observations of my former Representative on the human rights of internally displaced persons in his report (A/HRC/13/21/Add.3 and Corr.1-2, paras. 7-14) and referred to in my previous report (A/64/819, paras. 22 and 23).

V. Humanitarian access

A. International legal foundations governing humanitarian access

38. The need to establish and maintain humanitarian space is essential in order to effectively meet the humanitarian needs of conflict-affected and displaced populations, to mitigate suffering and to enable United Nations agencies, funds and programmes to exercise their mandates. In that context, it remains important that all sides respect their obligations and act in good faith to fully implement the principle of humanitarian access, which is rooted in international humanitarian and human rights law. Free passage of relief goods and facilitation of humanitarian operations are correlated to a number of human rights, including the right to life, the right to a decent standard of living and the right to protection against discrimination. Moreover, building on the practice of the United Nations human rights treaty bodies, there is growing acceptance that the obligation of States to respect, protect and fulfil human rights includes an obligation to invite, accept and facilitate international (humanitarian) assistance, in particular if the State's resource capacities or other obstacles, such as lack of effective control of parts of the territory, limit its capacity to effectively address all humanitarian needs.

39. In the context of international conflict situations, international humanitarian law requires the establishment of conditions for rapid and unimpeded passage of all relief consignments, equipment and personnel. In non-international conflicts, States must organize relief actions for the civilian population, without any adverse distinction. The universal acceptance of those rules has established, as a norm of customary law in both international and non-international conflicts, that parties to a conflict must allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need.

B. Operational challenges

40. Following the amendments introduced by the Government of Georgia to the Law on the Occupied Territories, taking into consideration recommendations issued

[1] Universal Declaration of Human Rights (arts. 12 and 13); International Covenant on Civil and Political Rights (arts. 12, paras. 1 and 17); American Convention on Human Rights (arts. 11 and 22, para. 1); African Charter on Human and Peoples' Rights (art. 12, para. 1); European Convention on Human Rights (art. 8) and Protocol No. 4 thereto (art. 2, para. 1); Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention) (arts. 49 and 147), Additional Protocol I thereto (arts. 51, para. 7, 78, para. 1, and 85, para. 4) and Additional Protocol II thereto (arts. 4, para. 3 (e), and 17); and International Labour Organization Convention No. 169 (art. 16).

by the European Commission for Democracy through Law (Venice Commission) of the Council of Europe in October 2010, the Government of Georgia issued the Regulation of the Government of Georgia on the approval of modalities for conducting activities in the occupied territories of Georgia, which, inter alia, serves as the guideline for the implementation of the Law. During the reporting period, the issuance of the modalities had no impact on the activities of the United Nations agencies, funds and programmes.

41. The United Nations agencies, funds and programmes were able to maintain humanitarian access and implement protection and humanitarian assistance activities in Abkhazia as planned, although a communication received in late March 2012 by some United Nations agencies, funds and programmes as well as other international organizations announcing restrictions relating to the transport of construction materials northward across the Inguri Bridge, had raised some concerns among humanitarian actors. However, negotiations in the margins of the Geneva international discussions helped to explain tender procedures and practices as related to local purchases, and to find a practical solution. After a brief interruption, movements of humanitarian goods therefore continued until the end of the reporting period. In that context, I call upon all stakeholders to take a flexible approach regarding the supply lines for humanitarian assistance. Due consideration must be given to available local sources, logistical challenges, costs and cost-effective purchases, with a view to maximizing the efficiency and effectiveness of humanitarian assistance.

42. The future impact of legislation and administrative practices affecting humanitarian access and humanitarian operations will need to be carefully monitored, along with the practical approaches and measures taken by stakeholders. The liaison mechanism, with established offices in Tbilisi and Sukhumi, continues to provide a framework for engagement and was successfully used on a number of occasions. Consultations also continued with all relevant stakeholders in order to ensure up-to-date information on the humanitarian needs of the population and to improve coordination and information flow.

43. During the reporting period, discussions were renewed on possible humanitarian access for the United Nations to the Tskhinvali region/South Ossetia. During their visits, the United Nations Representative and the other co-chairs of the Geneva international discussions were able to witness noticeable progress on a number of the ongoing humanitarian, infrastructure and reconstruction projects in Tskhinvali and Akhalgori valley as well as the level of destruction prevailing in and around the villages of Kurta and Eredvi. UNHCR has developed a project that aims to serve persons displaced from Akhalgori district by improving their livelihoods in a way that preserves and strengthens their links to their places of origin and keeps the prospects open for a gradual voluntary return process. Activities include the provision of free-of-charge minibus tickets, seeds and other agricultural support. Unfortunately, other proposals for the humanitarian engagement of the United Nations have not yet materialized. Access for the United Nations humanitarian agencies has not been possible owing to the continuing lack of agreement on the modalities governing humanitarian access. At the same time, ICRC continued to implement a number of projects throughout the area and an international non-governmental organization is preparing for engagement in complementary medical projects.

VI. Property rights of refugees and internally displaced persons

44. Property-related issues remained on the agenda and were repeatedly addressed during the meetings of Working Group II of the Geneva international discussions. The resolution of those issues remains contentious, in particular owing to the gaps in property registration and prevailing disagreement over applicable norms. The matter is further complicated by the historical legacy of multiple legal transition processes related to property following the dissolution of the former Soviet Union.

45. Those factors, as well as unclear, non-transparent and inconsistent practices, have resulted in significant legal insecurity as regards property rights and related transactions. Fears with regard to violations of property rights prevail and have a negative effect on the local population, including returnees but also internally displaced persons and refugees or former refugees considering return. Their concerns in relation to the protection of their property rights have been aggravated by registration of so-called "abandoned property", as well as other regulative and administrative measures taken. The Law of Georgia on property restitution and compensation on the territory of Georgia for the victims of conflict in the former South Ossetia district is not yet implemented in practice and has not resulted in restitution of property.

46. I reiterate my call upon all parties to fully respect and protect the property rights of refugees, internally displaced persons and their descendants and to adhere to the principles on housing and property restitution for refugees and displaced persons (referred to as the "Pinheiro principles") and the underlying norms of international law, including human rights law.[2] I encourage the parties to resolve the complex legal and political issues that impede progress and to implement restitution or compensation measures in order to ensure that displaced populations have full enjoyment of their property and housing rights. The United Nations agencies, funds and programmes remain committed to providing the necessary assistance in meeting those challenges.

VII. Timetable for the voluntary return of all refugees and internally displaced persons

47. No timetable for the voluntary return of all refugees and internally displaced persons has been developed given the prevailing environment and continued discussions among the parties. As long as the conditions for organized returns in safety and dignity are not fulfilled and mechanisms for property restitution are not established, the design of a comprehensive timetable or road map for returns must remain an open matter. Those challenges should not prevent the parties, acting on their own and in cooperation, from working towards identifying durable solutions for all displaced persons, giving particular attention to the implementation of the right of return. I would like to reiterate my call upon all participants in the Geneva international discussions to engage constructively on this issue, building on international law and relevant principles.

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[2] During the previous reporting period, on 26 July 2010, a specific information session dedicated to property-related rights and the Pinheiro principles was organized by Working Group II during round 12 of the Geneva international discussions.

48. In the absence of conditions conducive to organized returns and appropriate implementation mechanisms, the United Nations organizations will continue to concentrate their efforts on providing the conflict-affected population, including spontaneous returnees or persons in the process of returning, with humanitarian assistance and support for their reintegration. The United Nations organizations remain committed to proceeding at the appropriate time, in consultation and cooperation with all parties concerned, with the development of a timetable or road map addressing all components outlined in my report (A/63/950), in particular paragraph 20.

VIII. Conclusion

49. Over the past three and a half years, the Geneva international discussions, co-chaired by the European Union, OSCE and the United Nations, have remained the single forum for the key stakeholders to discuss security and stability and humanitarian issues, in particular related to the return of refugees and internally displaced persons. Those efforts, together with humanitarian engagement by a variety of United Nations agencies, funds and programmes and other actors, have contributed to some improvements in the security and humanitarian situation on the ground. However, many security, humanitarian, human rights and development challenges remain unresolved. Despite the difficult nature of the discussions, the complexity of the issues and divergence in the positions, the participants in the discussions have continued to engage on a regular basis. The United Nations-facilitated information sessions on relevant best practices and lessons learned have helped to enrich the formal sessions of the discussions. The United Nations stands ready to continue to support such information-sharing along with its further humanitarian engagement on the ground. Regular and genuine engagement in the joint incident prevention and response mechanism is also essential. Continued and more energetic efforts are needed to reach an agreement on practical steps to further strengthen the security situation and meet the pressing humanitarian concerns of the affected population, including of the internally displaced persons. I call upon all stakeholders to uphold their engagement in the Geneva process and to preserve and expand humanitarian space. I invite donors to continue their support of the multifaceted humanitarian, development and confidence-building efforts.

United Nations A/66/814–S/2012/353

General Assembly
Security Council

Distr.: General
30 May 2012
English
Original: Arabic

General Assembly
Sixty-sixth session
Agenda item 83
The rule of law at the national and international levels

Security Council
Sixty-seventh year

Identical letters dated 22 May 2012 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I write further to the numerous letters we have addressed to you on the subject of the reform measures that have been taken by the Government of the Syrian Arab Republic since the current crisis began in Syria, which have brought real and perceptible change in the situation that cannot be ignored by any objective observer. Those reforms culminated in the holding in Syria on 7 May 2012 of multi-party parliamentary elections, in an atmosphere of transparency, impartiality and freedom. With respect to those elections, I should like to bring to your attention the following:

1. While the history of the Syrian People's Council or Parliament goes back to the early twentieth century, the recent elections had a particular significance that made them unique. They were held in accordance with the new Constitution of the Syrian Arab Republic, which was approved by a plebiscite held on 28 February 2012. That Constitution guarantees that the modern democratic Syrian State will be governed by the rule of law and its citizens, and that all citizens will be equal. There will be political plurality, general rights will be protected, and authority will be democratically exercised through the ballot box. The Constitution includes fundamental amendments, including the removal of article 8 of the earlier Constitution, that referred to the role of the Ba'ath party in the State and society. It also included important articles that took into consideration the reforms that have been undertaken in the field of human rights, and the numerous international commitments that Syria has honoured as part of the United Nations human rights framework.

2. The recent parliamentary elections in Syria, of which the results were announced on 15 May 2012, were held in accordance with a new electoral law that adopted the highest international standards. All sectors of society were guaranteed equal rights of representation, and transparency and impartiality were strictly observed, as was the right of every individual to freedom of opinion, expression, assembly and membership of a party, pursuant to the Universal Declaration of

Human Rights, the International Covenant on Civil and Political Rights, and numerous relevant Human Rights Council and General Assembly resolutions, all of which are instruments that Syria has approved and undertaken to implement. Those elections were also conducted in accordance with the new Law on General Elections, No. 101 of 2011, which placed the electoral process under the complete supervision of the judiciary and provided that elections should be transparent and fair. Further guidance was provided by the new Law on Political Parties, No. 100 of 2011, which formulated the legislative and legal bases that govern political life and multi-party politics in Syria and relies on new and contemporary precepts with respect to the establishment of political parties and participation in the democratic process. More than 18 political parties were authorized to participate in the elections, whereas in previous parliamentary elections, only nine were involved. Recently, with a view to completing reform of the electoral process in Syria, the Supreme Constitutional Court was established.

3. A total of 5,186,957 Syrian citizens took part in the elections, representing 51.26 per cent of the electorate. Their votes were cast in secret and in an atmosphere of transparency and complete freedom, in 15 electoral districts spread throughout the country.

4. There are 250 members of the new parliament, 30 of whom are women. That testifies to the prominent position occupied by Syrian women in the political process and the economic, cultural and social spheres, albeit the elections were held in circumstances that are unprecedented in Syria. Here, we should like to point out that the Government of Syria continues to exert urgent efforts to increase the role of women in various fields.

5. Several candidates and their agents objected to the electoral process being conducted in a number of centres that did not comply with the new electoral law. Consequently, it was necessary to hold new elections in 18 centres, which meant that the results could not be declared on the date expected. That clearly shows that the electoral process was conducted in accordance with the principles of freedom, democracy, transparency and fairness.

6. Albeit the elections were held in accordance with a new set of laws that had been promulgated in response to the demands of the people, which were met with comprehensive political, economic and social reforms and the strengthening of human rights and general freedoms, certain persons did not want that process to succeed and made every effort to undermine the comprehensive reform programme by propagating extremist and Salafist ideas in Syrian society, which is pluralist, and by supporting terrorism, bearing arms with a view to killing, abducting and torturing Syrian citizens, destroying property and perpetrating all kinds of human rights violations. Here, we refer to the fact that some armed terrorist groups tried to obstruct the electoral process in some areas, by threatening and terrorizing citizens in an attempt to prevent them from taking part in the elections. At the same time, certain foreign parties that support and finance those terrorist groups took it upon themselves to run media interference through a misleading campaign on developments in the electoral process and the fabrication of misinformation, and by systematically urging that the outcome of the elections should be rejected, even before the elections were held. Nevertheless, the Syrian people rejected all that intimidation, misinformation and incitement, and responded to the voice of reform, deciding to boldly embark on the new democratic process. Given the current situation in Syria, the voter turnout was excellent.

7. The Syrian Government was determined to continue with the comprehensive reform process and, in particular, to hold the parliamentary elections on the date that had been decided, regardless of the difficult circumstances that are being experienced. That is because of its belief that the future of Syria will be fashioned by the Syrians themselves, who are the only ones capable of determining what features should characterize that future, through their participation in the reform process, which includes the choice of their representatives in the Syrian People's Council or Parliament. Notwithstanding all the outcomes, stumbling blocks and obstacles that beset the recent Syrian parliamentary elections, it remains a singular experience from which many useful lessons can be learned, and an important first step that must be built upon in following the path to reform and in any further future steps.

8. The Syrian Arab Republic wished to share this information with you in order to put you in the picture with regard to the latest developments that are taking place with regard to the democratic reform process that is being carried out by Syria despite the huge difficulties it faces because of the terrorism and violence that is being perpetrated by the armed terrorist groups, the imposition on the Syrian people of unjust unilateral sanctions, and an unprecedented media campaign of incitement and misinformation. Certain media are even supporting armed groups, taking it upon themselves to spread lies and promote violence, terrorism and the assassination of several Syrian officials. That simple example indicates the hypothetical picture that those media are attempting to paint of Syria with the support, guidance and funding of States that have become well known for their enmity towards Syria.

I should be grateful if the present letter could be circulated as an official document of the sixty-sixth session of the General Assembly, under agenda item 83, and of the Security Council.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) Bashar **Ja'afari**
Permanent Representative of the Syrian Arab Republic
to the United Nations

United Nations A/66/815

General Assembly

Distr.: General
25 May 2012
English
Original: Spanish

Sixty-sixth session
Agenda item 45
Question of the Falkland Islands (Malvinas)

Note verbale dated 2 April 2012 from the Permanent Mission of Paraguay to the United Nations addressed to the Secretary-General

The Permanent Mission of the Republic of Paraguay to the United Nations hereby refers to the Declaration on the Question of the Malvinas Islands adopted by the Council of Ministers for Foreign Affairs of the Union of South American Nations (UNASUR) at the meeting held in Asunción, Paraguay, on 17 March 2012.

In that connection and pursuant to instructions from the Government of the Republic of Paraguay in its capacity as President pro tempore of the Union of South American Nations (UNASUR), it hereby transmits a letter from the Minister for Foreign Affairs, Mr. Jorge Lara Castro, with the text of the aforementioned Declaration enclosed, and requests that it be delivered to the addressee.

It would be appreciated if this letter and the Declaration could be circulated as a document of the General Assembly under agenda item 45, concerning the question of the Malvinas Islands.

12-35261 (E) 010612 040612

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Annex to the letter dated 2 April 2012 from the Permanent Mission of Paraguay to the United Nations addressed to the Secretary-General

I have the honour to write to you in accordance with the decision taken at the recent ordinary session of the Council of Ministers for Foreign Affairs of the Union of South American Nations (UNASUR), held in Asunción on 17 March 2012, at which a Declaration on the Question of the Malvinas Islands was adopted.

In that connection, I hereby transmit the aforementioned Declaration (see enclosure). As you will see, it renews the call to resume negotiations as soon as possible in order to find a peaceful and definitive solution to this sovereignty dispute, in accordance with the provisions of successive resolutions of the United Nations General Assembly.

It also reiterates the request made in the letter dated 2 April 2011, which was signed by the Heads of State and Government of UNASUR, that you renew your efforts to implement the good offices mission that was entrusted to you by the United Nations General Assembly and inform us of the progress made as a result of your endeavours.

In executing this mandate as President pro tempore of UNASUR, I wish to reiterate the need to take action in order to move towards a definitive solution to this issue, which has become a South American cause.

(*Signed*) Jorge Lara **Castro**
Minister

Enclosure

Declaration of the UNASUR Council of Ministers for Foreign Affairs on the question of the Malvinas Islands

The Council of Ministers for Foreign Affairs of the Union of South American Nations (UNASUR) reiterates its strong support for the legitimate rights of the Argentine Republic in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas in accordance with statements made at the summits of the Council of Heads of State and Government of the Union of South American Nations, the UNASUR Declaration on military activities of the United Kingdom in the Malvinas Islands, the Declaration on cooperation of the States members of the Union of South American Nations with regard to certain movements of vessels travelling to the Malvinas Islands, South Georgia Islands and South Sandwich Islands, which includes the member States' commitment to adopt, pursuant to international law and their respective domestic legislation, all appropriate regulatory measures to prevent the entry into their ports of vessels flying the illegal flag of the Malvinas Islands, and the Declaration on the deployment of the frigate HMS Montrose to the Malvinas Islands.

The Council regrets that, despite the time elapsed since the adoption of United Nations General Assembly resolution 2065 (XX) and subsequently resolutions 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25, this long-standing dispute is still unresolved and that, despite the widespread international support for negotiations between the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to find a peaceful solution to the sovereignty dispute as soon as possible, the decolonization mandate of the General Assembly resolutions on the Malvinas Islands remains unimplemented.

The Council underscores the ongoing constructive attitude and willingness of the Argentine Government to reach, through negotiations, a peaceful and definitive solution to this anachronistic colonial situation on the soil of the Americas and regrets the United Kingdom's refusal to resume sovereignty negotiations, disregarding the calls of the international community.

In that connection, it underscores the commitment made by the Government of Argentina, in accordance with the mandate of the aforementioned resolutions and enshrined in its Constitution, to take into account the interests and respect the way of life of the inhabitants of the Malvinas Islands, pursuant to the principles of international law.

In that regard, the announcement that the President of the Argentine Republic, Cristina Fernández de Kirchner, will attend the next session of the Special Committee on decolonization confirms the willingness of the Argentine Government, expressed at the highest political level, to reach a peaceful and definitive solution to the sovereignty dispute.

The Council emphasizes that the military presence of the United Kingdom of Great Britain and Northern Ireland in the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas is contrary to the region's policy of seeking a peaceful settlement of the sovereignty dispute and

reaffirms its rejection of that presence and of the implementation of unilateral British activities in the disputed area, which include, inter alia, the exploration and exploitation of Argentina's renewable and non-renewable natural resources and the conduct of military exercises in violation of United Nations General Assembly resolutions, especially resolution 31/49.

The UNASUR Council of Ministers for Foreign Affairs reiterates the call for the Government of the United Kingdom to respond to the genuine willingness shown by the Government of Argentina by resuming negotiations in order to end as soon as possible the sovereignty dispute concerning the question of the Malvinas Islands, in accordance with the provisions of United Nations General Assembly resolutions. It also reiterates the request made to the Secretary-General in the letter of April 2011, signed by all the Heads of State and Government of UNASUR, to renew his efforts to implement the good offices mission entrusted to him by the United Nations General Assembly.

Signed in the city of Asunción, Republic of Paraguay, on 17 March 2012.

United Nations A/66/816

General Assembly

Distr.: General
30 May 2012

Original: English

Sixty-sixth session
Agenda item 62
Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Letter dated 23 May 2012 from the Permanent Representative of Kazakhstan to the United Nations addressed to the Secretary-General

In my capacity as Chair of the Organization of Islamic Cooperation (OIC) Group in New York, I have the honour to submit to you the Ashgabat Declaration issued by the OIC International Ministerial Conference on Refugees in the Muslim World, held in Ashgabat on 11 and 12 May 2012 (see annex).

I should be grateful if the text of the present letter and the annex thereto were issued as a document of the sixty-sixth session of the General Assembly, under agenda item 62.

(*Signed*) Byrganym **Aitimova**
Permanent Representative of the Republic of Kazakhstan
to the United Nations

12-35556 (E) 070612

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Annex to the letter dated 23 May 2012 from the Permanent Representative of Kazakhstan to the United Nations addressed to the Secretary-General

Ashgabat Declaration of the International Ministerial Conference of the Organization of Islamic Cooperation on Refugees in the Muslim World

1. We, the Ministers and Heads of Delegations of the Member States of the Organization of Islamic Cooperation (OIC), gathered in Ashgabat, Turkmenistan, on 11 and 12 May 2012 at the International Ministerial Conference of the Organization of Islamic Cooperation on Refugees in the Muslim World.

2. We recognize that over 14 centuries ago, Islam laid down the bases for granting refuge, which is now deeply ingrained in Islamic faith, heritage and tradition.

3. We express our deep concern over the situation of refugees in the world, particularly that most of them are hosted by OIC Member States.

4. We commend the contributions of the OIC Member States in hosting refugees in their territories, which is reflected in the fact that the 57 OIC Member States host 10.7 million refugees, including 5 million Palestinian refugees (based on figures provided by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)). We also commend the OIC Member States' continued and steadfast commitment in providing protection to refugees, taking into account their respective national capabilities and domestic laws.

5. We note that the 1951 Convention relating to the Status of Refugees and its 1967 Protocol have enduring value and relevance in the twenty-first century. We also note the importance of respecting the principles and values that underlie these instruments.

6. We recognize the social and humanitarian dimensions of the problem of refugees and the need to address its root causes, and urge the international community to make efforts to prevent this problem from becoming a source of tension.

7. We value the generosity of the countries hosting large numbers of refugees and acknowledge the security, socioeconomic and environmental impact of the presence of large-scale refugee populations on these countries, and note with deep concern the declining levels of international assistance.

8. We also reaffirm the OIC resolutions concerning the Palestinian cause and the Arab-Israeli conflict, and stress the need to resolve the issue of Palestinian refugees in accordance with international law and relevant international legitimacy resolutions, particularly United Nations General Assembly resolution 194 (III) and the Arab Initiative. We also reiterate that UNRWA embodies the international responsibility towards Palestinian refugees as mandated by the General Assembly. In this regard, we highly appreciate the important role assumed by UNRWA in alleviating the suffering of Palestinian refugees. We call on the international community and the OIC Member States to respond to the appeals of UNRWA and

keep up their support until the achievement of the Palestinian refugees' right to return to the homes.

9. We recall OIC resolution No. 10/38-POL on "the Aggression of the Republic of Armenia against the Republic of Azerbaijan", adopted at the thirty-eighth session of the Council of Foreign Ministers, and other relevant OIC documents. In this context, we express our deep concern over the plight of the more than 1 million Azerbaijani refugees and displaced people expelled from the occupied territories in and around the Nagorno-Karabakh region of the Republic of Azerbaijan, and the magnitude and severity of these humanitarian problems. We call for enabling the Azerbaijani refugees and the displaced to return to their homes in safety, honour and dignity, and reaffirm our total solidarity and our support for the efforts undertaken by the Government and people of Azerbaijan to this end. In this regard, we strongly demand the full implementation of the relevant OIC, General Assembly and Security Council resolutions.

10. We remain deeply concerned that too many refugee situations in the OIC countries have become protracted and need the sustained and profound engagement of the international community and United Nations agencies to work in conjunction with the Office of the United Nations High Commissioner for Refugees (UNHCR) and other United Nations actors, as appropriate, to resolve the refugees' plight and realize durable solutions consistent with international law and relevant General Assembly resolutions. In addition, we recognize the need to step up efforts to address the root causes of refugee situations in accordance with international law, while respecting the sovereignty of Member States.

11. We reaffirm that voluntary repatriation remains the most preferable solution to refugee situations, and call upon countries of origin, countries of asylum, UNHCR and the international community as a whole to work together to do everything possible to enable refugees to exercise their right to return to their homes. In this context, we call for political resolve to redouble international efforts to promote voluntary repatriation.

12. We welcome the positive steps and efforts taken and achieved by the Governments of some OIC countries in fulfilling their duty to promote, in a non-discriminatory manner, the voluntary return of their citizens to their countries in safety and dignity, and to provide them with assistance, support and security to ensure their sustainable reintegration. We encourage other countries of origin to take similar measures in this regard.

13. We note with deep concern the wide gap between resettlement needs and resettlement availabilities across the world, as well as the practice of selective resettlement criteria. We encourage resettlement countries to undertake the effective, flexible and non-discriminatory use of this measure, and urge UNHCR to pursue its work in close coordination with host countries and report on resettlement activities more regularly and actively.

14. We call upon the international community, in cooperation with UNHCR and other relevant international organizations, to provide more resources to support and assist States which host refugees in line with the principle of international solidarity, cooperation and burden-sharing. We also reiterate that States which are faced with a large-scale refugee influx should receive assistance from the international community in accordance with the principles of equitable burden-sharing.

15. We appreciate the valuable contribution of the OIC Member States and OIC-related financial institutions in respect of refugees and, in this regard, look forward to enhanced and timely contributions.

16. We recall OIC resolution No. 11/38-POL, adopted at the thirty-eighth session of the Council of Foreign Ministers, and other relevant OIC documents. We welcome the "Solutions Strategy for Afghan Refugees to Support Voluntary Repatriation, Sustainable Reintegration and Assistance to Host Countries", developed through consultations among the Governments of the Islamic Republic of Afghanistan, the Islamic Republic of Iran and the Islamic Republic of Pakistan, as facilitated by UNHCR and endorsed in the joint communiqué of the conference held in Geneva on 2 and 3 May 2012. We call for the effective implementation of the Strategy, through enhanced international cooperation, to promote the voluntary repatriation and sustainable reintegration of Afghan refugees in safety and dignity, in order to resolve one of the largest and longest protracted refugee situations in the world. We encourage exploring the possibility of developing similar initiatives to promote voluntary repatriation in order to address other protracted refugee situations in the Muslim world.

17. We express our appreciation for the leadership shown by UNHCR and commend the Office for its ongoing efforts. We further commend the staff and implementing partners of UNHCR for the competence, professionalism and dedication with which they discharge their responsibilities. In this regard, we call upon the international community to continue providing the necessary assistance and financial support to enable UNHCR to continue fulfilling its responsibilities.

18. We express deep gratitude to the Member States hosting refugees in spite of their limited economic resources, in affirmation of their noble Islamic values. We acknowledge the donor Member States for their donations to international and regional organizations active in the field of refugees, and commend in this respect the humanitarian efforts and the sustained support extended by the Kingdom of Saudi Arabia to the issues of refugees worldwide and in the Islamic world in particular, and to the organizations concerned with refugees. We also express our thanks to the Kingdom of Saudi Arabia, the State of Kuwait, the Sultanate of Oman and the Islamic Development Bank for their financial contributions in support of the successful convening of this Conference.

19. We extend our gratitude to the Government and people of Turkmenistan for generously hosting the International Ministerial Conference of the Organization of Islamic Cooperation on Refugees in the Muslim World, as well as for sharing their successful experience in dealing with the issues of refugees and stateless persons in Turkmenistan.

Adopted in Ashgabat on 12 May 2012

United Nations A/66/817–S/2012/375

General Assembly
Security Council

Distr.: General
30 May 2012
English
Original: Arabic

General Assembly
Sixty-sixth session
Agenda item 36
The situation in the Middle East

Security Council
Sixty-seventh year

Identical letters dated 24 May 2012 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a statistical summary of Israeli violations of Security Council resolution 1701 (2006) committed during the month of April 2012 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the sixty-sixth session of the General Assembly, under agenda item 36, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

12-35544 (E) 040612 070612

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Annex to the identical letters dated 24 May 2012 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Land violations

Date	*Time*	*Nature of violation*
2 April 2012	0855	An Israeli enemy patrol comprising two Merkava tanks and a bulldozer crossed the technical fence at coordinates Q:744201-N:682669. The patrol left at 0945 hours.
	1050	An Israeli enemy patrol comprising two Hummer vehicles and five men crossed the technical fence at coordinates Q:744201-N:682669. The patrol left at 1230 hours.
4 April 2012	1405	Members of an Israeli enemy patrol photographed the Hasan-2 Lebanese Army position and its surroundings.
5 April 2012	1830	Members of an Israeli enemy patrol deployed in the groves opposite Kafr Killa-Fatima Gate and directed their weapons towards Lebanese territory.
7 April 2012	1900	Two Israeli enemy soldiers directed abuse towards the men at the Fatimah Gate Lebanese Army observer position.
12 April 2012	1115	From its Zar'it barracks position, the Israeli enemy observed Lebanese territory through binoculars.
	2315	Between the Tall al-Manara and Birkat Risha positions, an Israeli enemy patrol directed two searchlights towards the Lebanese Army Bustan position for one minute.
17 April 2012	0105	An Israeli enemy patrol using a megaphone directed abuse in Arabic towards the men at the Duhayrah Lebanese Army position.
	1800 1830	The sound of medium-weapons fire was heard from the area of Summaqah inside the occupied Shab'a Farms.
18 April 2012	1115	The Israeli enemy army carried out road building works in the occupied area opposite Saddanah, on the outskirts of Kafr Shuba, between coordinates Q:753000-N:690900 and Q:753900-N:691152. The road is some 6 metres wide and 1 kilometre in length. While the work was being carried out, an Israeli enemy patrol deployed in the area and Merkava tanks were placed in position.
19 April 2012	2150	For five seconds, Israeli enemy soldiers directed a red laser beam from a position opposite the Lebanese Army Wazzani pumping station towards the guard at that station.

Date	*Time*	*Nature of violation*
21 April 2012	1045	Members of an Israeli enemy patrol directed distasteful language in Arabic towards men at the Lebanese Army Birkat al-Naqqar position.
24 April 2012	1110	As members of an Israeli enemy patrol were moving between the south Ramia and west Khallat Wardah-1 positions, they took up combat positions, aiming their weapons in the direction of Lebanese Army observers.
27 April 2012	2225	From its Zar'it barracks position, the Israeli enemy directed a searchlight towards Lebanese territory along the Tarbikha-Ramia road.

Sea violations

Date	*Time*	*Nature of violation*
3 April 2012	1950	An Israeli enemy military launch directed a searchlight towards Lebanese territorial waters in the region of buoy No. 1 for 20 seconds.
6 April 2012	2035 2100	The Israeli enemy fired four flare shells opposite buoy No. 9 and one opposite buoy No. 7.

Air violations

Date	*Time*	*Nature of violation*
2 April 2012	1045	Israeli enemy warplanes violated Lebanese airspace and circled over the South before leaving at 1050 hours.
	1055	An Israeli enemy warplane violated Lebanese airspace, circling over the South before leaving at 1215 hours.
	1105	Israeli enemy warplanes violated Lebanese airspace, circling over the South before leaving at 1110 hours.
	1155	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving over Alma al-Sha'b at 0010 hours on 3 April 2012.
	1210	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1820 hours over Rumaysh.
	1250	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1655 hours over Rumaysh.
3 April 2012	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1201 hours.

Date	*Time*	*Nature of violation*
	0705	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South and the Bekaa before leaving over Rumaysh at 0010 hours on 4 April 2012.
	1035	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1215 hours over Alma al-Sha'b.
	1055	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over Beirut and the South before leaving at 1215 hours over Alma al-Sha'b.
	1100	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea to the west of Sidon. It circled over Beirut, Al-Arz (the Cedars) and Hirmil before leaving over Alma al-Sha'b at 0630 hours on 4 April 2012.
	1930	Israeli enemy warplanes violated Lebanese airspace, circling over the South before leaving at 1940 hours.
4 April 2012	0745	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1330 hours over Naqurah.
	1000	Four Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1150 hours over Alma al-Sha'b.
	1525	An Israeli enemy warplane violated Lebanese airspace, circling over the South before leaving at 1530 hours.
	1530	Two Israeli enemy warplanes violated Lebanese airspace, circling over the South before leaving at 1531 hours.
	1545	An Israeli enemy warplane violated Lebanese airspace, circling over the South before leaving at 1620 hours.
	1815	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Yarun. It circled over the South and the Western Bekaa before leaving over Alma al-Sha'b at 2030 hours.
	1910	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South, Riyaq and Baalbek before leaving over Alma al-Sha'b at 1240 hours on 5 April 2012.
5 April 2012	1210	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South and the Bekaa before leaving over Alma al-Sha'b at 2020 hours.
	1700	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1740 hours over Naqurah.

Date	*Time*	*Nature of violation*
	2210	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the Bekaa, Hirmil and Al-Arz (the Cedars) before leaving over Yarun at 1145 hours on 6 April 2012.
6 April 2012	0945	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Riyaq, Baalbek, Al-Arz (the Cedars), Hirmil and the South before leaving at 1815 hours over Rumaysh.
7 April 2012	1830	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the Bekaa, Beirut and the South before leaving over Alma al-Sha'b at 1030 hours on 8 April 2012.
8 April 2012	0750	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1830 hours over Naqurah.
	1400	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South and the Bekaa before leaving over Naqurah at 0625 hours on 9 April 2012.
	2235	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South and Beirut and its suburbs before leaving ov r Naqurah at 1650 hours on 9 April 2012.
9 April 2012	0655	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South and Beirut and its suburbs before leaving at 2345 hours over Naqurah.
	0710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1150 hours over Kafr Killa.
	2315	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Jubayl and Beirut before leaving over Naqurah at 0105 hours on 10 April 2012.
10 April 2012	0655	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1810 hours over Naqurah.
	0935	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1105 hours over Rumaysh.
	0940	Two Israeli enemy warplanes violated Lebanese airspace, entering over Aytarun. They circled over all regions of Lebanon before leaving at 1105 hours over Rumaysh.

Date	*Time*	*Nature of violation*
	1055	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 2235 hours over Rumaysh.
	2200	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Baalbek, Hirmil and Al-Arz (the Cedars) before leaving over Alma al-Sha'b at 0600 hours on 11 April 2012.
11 April 2012	0840	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1435 hours over Rumaysh.
	1015	An Israeli enemy warplane violated Lebanese airspace, circling over the South before leaving at 1016 hours.
	1040	An Israeli enemy warplane violated Lebanese airspace, circling over the South before leaving at 1041 hours.
	2000	An Israeli enemy warplane violated Lebanese airspace, circling over the South before leaving at 2003 hours.
	2130	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South and Beirut before leaving over Rumaysh at 1030 hours on 12 April 2012.
12 April 2012	0615	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1205 hours over Rumaysh.
	2040	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Riyaq and Baalbek before leaving hours over Kafr Killa at 1245 on 13 April 2012.
13 April 2012	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South and the Bekaa before leaving at 1800 hours over Kafr Killa.
	1020	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1140 hours over Naqurah.
	1700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the Bekaa before leaving over Alma al-Sha'b at 0655 hours on 14 April 2012.
14 April 2012	0655	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the Bekaa before leaving at 1825 hours over Naqurah.
15 April 2012	0019	An Israeli enemy aircraft violated Lebanese airspace, circling over the South before leaving at 0156 hours.

Date	*Time*	*Nature of violation*
	0110	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the Shuf and the South before leaving at 0205 hours over Naqurah.
	0933	An Israeli enemy aircraft violated Lebanese airspace, circling over the South before leaving at 0934 hours.
16 April 2012	1100	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1830 hours over Naqurah.
	1115	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving over Naqurah at 0010 hours on 17 April 2012.
	1200	Four Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1345 hours over Alma al-Sha'b.
	1500	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 1940 hours over Rumaysh.
	2155	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Aytarun. It circled over the South before leaving at 2355 hours over Naqurah.
17 April 2012	0557	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1435 hours.
	0650	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South and Beirut and its suburbs before leaving at 1815 hours over Naqurah.
	0705	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South and the Western Bekaa before leaving at 1125 hours over Aytarun.
	0945	Six Israeli enemy warplanes violated Lebanese airspace, entering over the sea off Damur. They circled over all regions of Lebanon before leaving at 1035 hours over the sea off Naqurah.
	0950	Six Israeli enemy warplanes violated Lebanese airspace, entering over the sea off Shikka. They circled over all regions of Lebanon before leaving at 1140 hours over Naqurah.
	1255	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Aytarun. It circled over the South and Beirut and its suburbs before leaving over Alma al-Sha'b at 0010 hours on 18 April 2012.

Date	*Time*	*Nature of violation*
	1305	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1620 hours over Alma al-Sha'b.
	1630	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1730 hours over Naqurah.
18 April 2012	0113	An Israeli enemy aircraft violated Lebanese airspace, circling over the South before leaving at 0121 hours.
	2135	An Israeli enemy aircraft violated Lebanese airspace, circling over the South before leaving at 2146 hours.
19 April 2012	0630	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South and the Western Bekaa before leaving at 0925 hours over Kafr Killa.
20 April 2012	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1554 hours.
	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 1610 hours over the sea to the west of Naqurah.
	2035	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the Bekaa before leaving over Rumaysh at 0700 hours on 21 April 2012.
21 April 2012	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1700 hours over Naqurah.
	0705	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Riyaq and Baalbek before leaving at 1810 hours over the sea to the west of Naqurah.
22 April 2012	0610	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South and the Western Bekaa before leaving at 1840 hours over Naqurah.
	0705	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South and the Bekaa before leaving at 1200 hours over the occupied Shab'a Farms.
	0715	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea to the west of Tyre. It circled over the South before leaving at 1445 hours over Naqurah.

Date	*Time*	*Nature of violation*
	0910	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea to the west of Naqurah. It circled over the Bekaa and the South before leaving over Naqurah at 0015 hours on 23 April 2012.
	1130	Four Israeli enemy warplanes violated Lebanese airspace, entering over Alma al-Sha'b. They circled over the South and Beirut before leaving at 1310 hours over Alma al-Sha'b.
	1355	Four Israeli enemy warplanes violated Lebanese airspace, entering over the occupied Shab'a Farms. They circled over all regions of Lebanon before leaving at 1520 hours over the sea off Naqurah.
	2300	An Israeli enemy warplane violated Lebanese airspace and circled over the South before leaving at 2301 hours.
	2355	An Israeli enemy warplane violated Lebanese airspace, circling over the South before leaving at 2356 hours.
23 April 2012	0556	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1554 hours.
	0640	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1815 hours over Naqurah.
	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 2010 hours over Naqurah.
	0710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1425 hours over Naqurah.
	0810	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the Bekaa and the South before leaving at 2135 hours over Rumaysh.
	1015	Israeli enemy warplanes violated Lebanese airspace, circling over the South before leaving at 1135 hours.
24 April 2012	0605	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1117 hours.
	0655	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1515 hours over Rumaysh.
	0705	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1525 hours over Alma al-Sha'b.

Date	*Time*	*Nature of violation*
	0710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1420 hours over Alma al-Sha'b.
	0840	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Riyaq, Baalbek, Hirmil and Al-Arz (the Cedars) before leaving at 2020 hours over Kafr Killa.
	1010	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek, Hirmil and Al-Arz (the Cedars) before leaving at 1510 hours over Naqurah.
	1203	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over Beirut and the South before leaving at 1335 hours over Rumaysh.
25 April 2012	0119	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1548 hours.
	0605	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek, Beirut and its suburbs, and the South before leaving at 1830 hours over Rumaysh.
	0905	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Beirut and the South before leaving at 2125 hours over Kafr Killa.
	1025	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the Western Bekaa and the South before leaving at 1410 hours over Kafr Killa.
26 April 2012	0555	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 0818 hours.
	0735	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 0900 hours over Rumaysh.
	0745	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1800 hours over Alma al-Sha'b.
	1045	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the Bekaa and the South before leaving at 1955 hours over Alma al-Sha'b.
27 April 2012	1045	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South and Beirut before leaving at 1830 hours over Alma al-Sha'b.

Date	*Time*	*Nature of violation*
	1045	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Riyaq, Baalbek, the South and Beirut before leaving at 2030 hours over Rumaysh.
28 April 2012	0010	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 0336 hours.
	0800	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 2110 hours over Alma al-Sha'b.
	1000	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Riyaq and Baalbek before leaving at 2005 hours over Alma al-Sha'b.
29 April 2012	0702	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1050 hours over Rumaysh.
	0730	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1030 hours over Alma al-Sha'b.
	0730	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1030 hours over Alma al-Sha'b.
	0805	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 0845 hours over Alma al-Sha'b.
	1617	Israeli enemy warplanes violated Lebanese airspace, circling over the South before leaving at 1645 hours.
30 April 2012	0912	Israeli enemy warplanes violated Lebanese airspace, circling over the South before leaving at 0920 hours.
	0940	Israeli enemy warplanes violated Lebanese airspace, circling over the South before leaving at 1145 hours.
	1530	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1810 hours over Kafr Killa.
	1845	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the Shuf before leaving at 2330 hours over the sea off Naqurah.

United Nations A/66/818–S/2012/377

General Assembly
Security Council

Distr.: General
31 May 2012

Original: English

General Assembly
Sixty-sixth session
Agenda items 35, 39, 67 and 83

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

The rule of law at the national and international levels

Security Council
Sixty-seventh year

Letter dated 29 May 2012 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a statement by the Ministry of Foreign Affairs of the Nagorno Karabakh Republic (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 35, 39, 67 and 83, and of the Security Council.

(*Signed*) Garen **Nazarian**
Ambassador
Permanent Representative

12-35660 (E) 010612

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Annex to the letter dated 29 May 2012 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

The date of 9 May is a triple holiday for the people of Nagorno Karabakh Republic (Republic of Artsakh). On that day, the people of Artsakh, along with other nations, celebrate national unity, solidarity and freedom brought by the end of the Second World War.

Though small in numbers, the Armenians of Artsakh had a significant role in the victory over fascism. The history of the Second World War holds sacred the names of three marshals, one admiral, 24 generals, 28 heroes of the Union of Soviet Socialist Republics, seven servicemen awarded as Cavaliers of the Order of Glory and many high-ranking officers born in Artsakh.

On 9 May, the people of Artsakh also celebrate the anniversary of the liberation of Shushi.

In the eighteenth and nineteenth centuries, Shushi was shaped and developed as one of the cultural and spiritual centres for Armenians. However, in the beginning of the twentieth century, the town was destroyed and set on fire by the armed units of Azerbaijan, which in the aforementioned time had for the first time in history appeared on the world map as a state. In the late 1980s, the last Armenian families left Shushi, in order not to share the same fate as the Armenians massacred in Sumgait and other towns in Azerbaijan.

In the early 1990s, Shushi, which is located on the heights neighbouring Stepanakert, the capital of Artsakh, became a strong hold of the aggression of Azerbaijan, and particularly one of Azerbaijan's main military positions established for shelling Stepanakert.

Stepanakert became the target of 300 to 400 missiles launched daily from Shushi, which forced the population of the town to seek shelter underground, caused hundreds of casualties and deaths and left half of the town in ruins.

The attitude of Azerbaijan towards the Armenian population of Shushi and the Armenian heritage of the town is best illustrated by the fact that the centuries-old Saint Ghazanchetsots Cathedral was turned by the Azerbaijani forces into a warehouse for missiles fired at the Armenian population.

The people of Artsakh, besieged by the Azeri forces, were on the brink of extermination. At that fateful moment, after a military action undertaken by the forces of self-defence of Artsakh, on 9 May 1992 the Azerbaijani forces left the town. With the following steps, the people of Artsakh established a land corridor linking with Armenia, which became known as the "Road of Life".

The date of 9 May is also the day when the Nagorno Karabakh Republic celebrates the anniversary of the establishment of the Defence Army of Nagorno Karabakh Republic, which signifies the will of the people to defend their honour, security and freedom. For that very reason, every year on that day, the people of Artsakh urge to learn the lessons of the past and stay true to the principles of peaceful coexistence and non-violent resolution of conflicts in the world.

The concerns and complaints of Azerbaijan regarding the military parade dedicated to the Victory Day in Nagorno Karabakh Republic are preposterous:

Azerbaijan responded to the realization of the will of the people of Nagorno Karabakh to self-determination with ethnic cleansings in the territories surrounding Nagorno Karabakh and in Karabakh proper. Azerbaijan unleashed a wide-scale military aggression against the people of Artsakh, involving thousands of mercenaries closely linked to notorious international terrorist networks. As a result of the military aggression of Azerbaijan against the Nagorno Karabakh Republic, which fulfilled its right to self-determination, some territories of the Nagorno Karabakh Republic still remain under the occupation of Azerbaijan. Moreover, provocation and acts of subversion by Azerbaijan on the Azerbaijan-Karabakh line of contact are taking place almost daily.

Meanwhile, official Baku is continuously issuing belligerent statements with direct threats addressed to the people of Nagorno Karabakh, "forgetting" about the 1994 ceasefire agreement signed by the representatives of Nagorno Karabakh and Azerbaijan.

Only during the past seven years, Azerbaijan has increased its military spending 20 times, violating along the way all acceptable limits stipulated by the international armament treaties. Hence, the Azerbaijani authorities are solely responsible for the militarization of the region; their militaristic policies are threatening the stability in the region.

The extremely racist propaganda and undisguised war threats of Azerbaijan are unacceptable and the people of Artsakh are resolute in further strengthening their independent statehood based on democratic values.

The Ministry of Foreign Affairs of the Nagorno Karabakh Republic states that the Republic of Azerbaijan is responsible for turning its initially taken power-based stance towards the Nagorno Karabakh Republic issue into a military conflict and, by continuing this policy, Azerbaijan has undermined the peaceful settlement of the Azerbaijan-Karabakh conflict.

The Ministry of Foreign Affairs of the Nagorno Karabakh Republic calls upon the international community to react adequately to the behaviour of Azerbaijan, which is in blatant violation of the purposes and principles of the Charter of the United Nations and the Helsinki Final Act, in order to avert another possible adventure by Azerbaijan endangering the stability in the region.

United Nations A/66/819–S/2012/392

General Assembly
Security Council

Distr.: General
4 June 2012

Original: English

General Assembly
Sixty-sixth session
Agenda item 127
International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Security Council
Sixty-seventh year

Identical letters dated 1 June 2012 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council

I have the honour to transmit to you the attached letter dated 21 May 2012 that I have received from Judge Vagn Joensen, President of the International Criminal Tribunal for Rwanda (see annex).

In his letter, Judge Joensen requests the extension of the term of office of one permanent judge and two ad litem judges of the Trial Chamber of the Tribunal until 31 December 2012 or until the completion of the case to which they are assigned, if sooner. He further requests the extension of his own term of office until 31 December 2014, the date by which the Tribunal is expected to complete all its work.

I recall that, pursuant to Security Council resolution 2029 (2011) and General Assembly decision 66/418, the current term of office of the Trial Chamber judges is set to expire on 30 June 2012. Contrary to earlier projections, however, the *Ngirabatware* case will not be completed by that date. Furthermore, the Tribunal will require a President to perform functions provided for under its Statute until it completes its work. It is therefore necessary to extend the term of office of the three judges hearing the *Ngirabatware* case and that of Judge Joensen beyond 30 June 2012.

It falls to the General Assembly and the Security Council to consider and decide on this request. Accordingly, I should be grateful if you would bring the letter from Judge Joensen to the attention of the General Assembly and the members of the Security Council.

(*Signed*) **BAN** Ki-moon

12-35887 (E) 050612

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Annex

Letter dated 21 May 2012 from the President of the International Criminal Tribunal for Rwanda addressed to the Secretary-General

I am writing to request the extension of the terms of office of four judges of the Trial Chambers of the Tribunal.

Pursuant to Security Council resolution 2029 (2011), the terms of office of the judges of the Trial Chambers will expire on 30 June 2012. At the beginning of 2011, the Tribunal had four permanent trial judges and eight ad litem judges. Of these, one permanent trial judge has completed his service and demitted office, and another has been redeployed to the Appeals Chamber. A third permanent trial judge will be redeployed to the Appeals Chamber in late June 2012 and, in line with article 13 (3) of the Statute of the Tribunal, his term will not require extension as it will automatically become the same as the term of the current Appeals Chamber judges. Five ad litem judges will demit office upon completion of their cases on or before 30 June 2012.

It is necessary to extend the term of office of one permanent judge and two ad litem judges in order for them to complete the *Ngirabatware* trial, which will continue beyond 30 June 2012. The current projection is that the case will be completed by the end of 2012. Delays in this trial have resulted in part from the unanticipated continuation of the Defence case owing to fair trial requirements, including the Defence request to present a rejoinder case in order to refute evidence presented by the Prosecution in its rebuttal case. The participation of two of the three judges in a parallel trial has also contributed to the delay. Upon completion of the case, the permanent judge will be redeployed to the Appeals Chamber, in line with article 13 (3) of the Statute and the ad litem judges will demit office.

Furthermore, it is also necessary to extend my term of office beyond 30 June 2012, so that I may continue to carry out the functions of the President, which are required by the Statute. The President continues to perform functions related to judges, the Registry, defence counsel, detainees and cooperation with member States until the completion of all cases and until handover to the International Residual Mechanism for Criminal Tribunals is completed. All cases are currently expected to be completed by the end of 2014.

Consequently, I ask for an extension of the terms of office of Judge William H. Sekule, Judge Solomy Balungi Bossa and Judge Mparany Rajohnson until 31 December 2012, or until the completion of the *Ngirabatware* case, if sooner. I also ask for an extension of my term until 31 December 2014.

I should note that further extensions may be required if the request for referral of the *Munyagishari* case to Rwanda is denied. Such trial would require a bench of three judges, one of whom could be the President. The Tribunal is obligated to handle the trial, if any, pursuant to article 1 of the Transitional Arrangements annexed to Security Council resolution 1966 (2010) since the arrest was made prior to 1 July 2011. I also note that under article 4 of the Transitional Arrangements, the Tribunal is obligated to handle trials of contempt/false testimony cases where the indictment has been confirmed before 1 July 2012. These cases also require a bench composed of three judges. The Tribunal has confirmed three such indictments against fugitive-accused.

These extensions are of crucial importance to ensure that the Tribunal can meet the goals of its completion strategy, i.e. the completion of all trials by the end of 2012 and of all appeals by the end of 2014. Therefore, I should be grateful if you could bring my request to the attention of the Security Council and the General Assembly for necessary action, where required.

(*Signed*) Vagn **Joensen**
President

United Nations A/66/820–S/2012/381

General Assembly
Security Council

Distr.: General
5 June 2012
English
Original: Arabic

General Assembly
Sixty-sixth session
Agenda item 109
Measures to eliminate international terrorism

Security Council
Sixty-seventh year

Identical letters dated 29 May 2012 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to bring to your attention the following:

Terrorism has hit Syria yet again: on 25 May 2012, the Syrian people were subjected to appalling carnage at the hands of the armed terrorist groups that are financed and supported from abroad. The Syrian Arab Republic would like to share with you the details of those massacres, which took place in Tall Daww (Hula) and Shawmariyah.

1. Hundreds of armed men gathered in an organized and systematic manner around the area in which the massacre took place. They were carrying heavy weapons, including armour-piercing rockets. At the zero hour that they had set for themselves, which was 1400 hours on 25 May 2012, they attacked the area simultaneously from three fronts, namely, from Rastan, Talbisah and Qusayr, all of which are towns around Tall Daww.

2. Those armed terrorist groups savagely murdered the al-Abdullah family, comprising Muhammad Abdulnabi Abdullah, his wife and six children, and Ratib al-Ulu and his father.

3. Also savagely murdered were the al-Sayyid family: Arif Muhammad al-Sayyid, Imad Muhammad al-Sayyid, Uqba Muhammad al-Sayyid, and the wife and three children of Arif Ali al-Dahir.

4. The armed terrorist groups also burned the crops of the citizens and set fire to houses. One body was discovered that was so badly burned that it has not yet been identified.

5. The armed terrorist groups destroyed the national hospital in Tall Daww that serves the families of the area.

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6. The area is guarded by five Syrian Arab army posts that are positioned outside the area of the massacre, and those posts were attacked by the armed terrorist groups.

7. The Syrian Arab army performed its duty to defend itself and the innocent, defenceless citizens and clashed with the armed terrorist groups until 2300 hours, when it was able to end that savage attack. It lost three of its best men and 16 soldiers were injured, who should be added to the list of those martyred in the two terrorist massacres.

8. Syria stresses that it did not introduce any tanks into the area. The army was in a state of self-defence, using the utmost degree of self-control and proportionality of response. Anything that has been published suggesting otherwise is the purest lie. It was the armed terrorist groups that were armed to the teeth with heavy weapons and entered with the intent to kill. Nothing is a better indication of that than the fact that the killings were carried out with knives, which have become the signature of those terrorist groups, which carry out their crimes by "cutting the throat in the Islamic manner".

9. Children, women and men were assembled in a specific place. If they had been killed in a bombardment, as is claimed by the satellite channels, they would have been covered with the dust of bombardment and their wounds would have been caused by artillery rounds. However, the pictures show that the crime was perpetrated in cold blood at close quarters.

10. The terrorist operation was carried out simultaneously on several fronts, which shows that the terrorist crime, which targeted innocent Syrian civilians, was planned in advance.

11. It should be noted that the people of this area supported the Syrian Arab army and would praise it in the sight and hearing of the world, which would appear to have cost them their lives in reprisal.

12. The armed terrorist groups also attacked the town of Shawmariyah in the countryside around Homs, carrying out extensive acts of destruction in an escalation of their crimes and terrorism before any Security Council meeting could be held and at the same time as the visit to Syria of the United Nations special envoy to Syria, Kofi Annan. Those terrorist groups normally carry out crimes against the Syrian people whenever a meeting on Syria is held by the Security Council, or in this case, before Mr. Annan arrived in Damascus. The Government of Syria advised the relevant mechanisms in the Human Rights Council that the armed terrorist groups consider the blood of the Syrian people a cheap price to pay for a few lines in the declarations of States that are trying to destroy Syria and kill the Syrian people on the pretext of defending human rights. Syria has pointed out that the blood of Syrians is being used in this brutal manner in order to throw suspicion on the Syrian authorities in a way that has no historical precedent.

13. The Government of the Syrian Arab Republic has condemned these despicable terrorist crimes in the strongest possible terms. Those crimes bear all the hallmarks and characteristics of appalling crimes and systematic, planned and gross violations of human rights. Syria is determined to uncover the criminals responsible for killing children and bring them to justice. They shall not be allowed to escape the consequences. The Government of Syria has established a council comprising the Ministers of Defence, the Interior and Justice, to look into what happened and submit a report within three days. Syria has declared that it is responsible for

protecting its people from killing and terrorism and will do everything necessary, within the framework of Syrian law and its international undertakings, to rescue the Syrian people from terrorism that is supported and financed from abroad. Against that background, it rejects all allegations that have been directed against it to the effect that it kills innocent Syrian citizens.

The Minister for Foreign Affairs and Emigrants also notes that on 15 May 2012, Al-Qaida-affilliated terrorist groups also carried out a massacre in the Karam al-Lawz quarter of Homs, killing 15 civilians, including a woman and her four children. That was before a Security Council meeting that was to be held the next day.

On 26 May 2012, armed terrorist groups fired six mortar shells from the Warshah quarter into the Nazhah and Hadarah quarters of Homs, killing Jeanette Mikha'il, a civilian who was mute, and wounding other civilians in that attack.

Yesterday, in the countryside around Dayr al-Zawr, in the province of Muhassan, an armed terrorist group stopped a bus that was taking to work engineers and technicians who are employed by the Furat Oil Company and abducted them, with the bus to an unknown location. More than 1,500 Syrian citizens have been abducted and the fate of more than 1,000 of them remains unknown.

On 26 May 2012, an armed terrorist group stole the sum of 12 million Syrian pounds and seals from the office in Hajine of the Abu Kamal branch of the Agricultural Bank, in Dayr al-Zawr governorate. The armed terrorist group stormed the office, threatened the treasurer and stole the money and seals from the office safe.

In Homs governorate, on 26 May 2012, at a farm in Qusayr in the countryside around Homs, the proper authorities took control of a warehouse and factory that were used by armed terrorist groups to manufacture explosive devices. In those buildings, they found large quantities of the primary materials used in the manufacture of such devices, fertilizer, acid, large gas bottles, detonators, equipment for the manufacture of devices, and explosive charges.

On 26 May 2012, also in Homs, the proper authorities also seized a stolen car in which there were various arms, including six Russian rifles, three pump-action rifles, hand grenades, explosive devices, a large quantity of ammunition for the Russian and pump-action rifles, a military cartridge pouch, military uniforms and several forged car licence plates.

On 26 May 2012, the proper authorities clashed in Rif Dimashq with an armed terrorist group that was attacking civilians and law enforcement forces in Duma. Several were arrested while others were killed. The authorities found in the possession of the group weapons that included explosive devices that were primed to explode, individual arms, a quantity of ammunition and a stolen car that was the property of the Rif Dimashq Water Authority.

In the Tall Rif'at area outside Aleppo, the terrorists were preparing to carry out a new massacre of Syrians, using explosives, but divine providence intervened and the explosive device that they had been preparing blew up in their faces, killing and injuring several of them.

Set forth above is a summary of all the attacks against the Syrian people that were undertaken in just one day, which make clear, as do all the other events that have been taking place over the past year, that it is not a question of peaceful demonstrations, or "the people want freedom of opinion and expression". The

Syrian State is confronting highly trained armed men who bear sophisticated arms and mean to kill, slaughter and perpetrate acts of terrorism. The Syrian State is responsible for protecting the Syrian people from those men and will carry out its duties in full, just as any other country in the world would that was facing what the Syrian people are facing.

What is taking place verifies Syria's claim that it is being subjected to terrorist campaigns that are supported and financed from abroad and being forced on Syria and the Syrian people. Even worse, the blood of the Syrian people is being sacrificed in media campaigns that attempt to hold responsible for those crimes the Syrian Government, which is making every effort to protect its people from terrorism.

I should be grateful if the present letter could be circulated as a document of the sixty-sixth session of the General Assembly, under agenda item 109, and of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative